

Filed: October 22, 2021

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.

Petitioner,

v.

MASIMO CORPORATION,

Patent Owner.

Case IPR2020-01538
U.S. Patent 10,588,554

PATENT OWNER REQUEST FOR ORAL ARGUMENT

IPR2020-01538

Apple Inc. v. Masimo Corporation

Pursuant to 37 C.F.R. § 42.70(a), and the Scheduling Order (Paper 9), Patent Owner Masimo Corporation (“Patent Owner”) respectfully requests that the Board hear oral argument on the instituted grounds of unpatentability in IPR2020-01538 involving U.S. Patent 10,588,554 (’554 Patent).

The Board scheduled oral argument for December 7, 2021. In addition to the oral argument for the above-referenced IPR proceeding, the Board scheduled oral arguments for December 7, 2021 in (i) IPR2020-01520 involving U.S. Patent No. 10,258,265, (ii) IPR2020-01536 involving U.S. Patent No. 10,588,553, (iii) IPR2020-01537 involving U.S. Patent No. 10,588,553, and (iv) IPR2020-01539 involving U.S. Patent No. 10,588,554.

Given the extensive overlap in these five (5) IPR proceedings, including Petitioner’s asserted art and the parties’ arguments, Patent Owner requests that the Board hold a consolidated oral argument. Patent Owner respectfully requests that each party be allotted sixty (60) minutes for one consolidated oral argument for the five IPR proceedings. Patent Owner anticipates that five (5) individuals will attend the oral argument on its behalf.

IPR2020-01538

Apple Inc. v. Masimo Corporation

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: October 22, 2021

/Jacob L. Peterson/

Jacob L. Peterson (Reg. No. 65,096)

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Attorney for Patent Owner

Masimo Corporation

IPR2020-01538

Apple Inc. v. Masimo Corporation

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to 37 C.F.R. § 42.6(e) and with the agreement of counsel for Petitioner, a true and correct copy of **PATENT OWNER REQUEST FOR ORAL ARGUMENT** is being served electronically on October 22, 2021, to the e-mail addresses shown below:

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